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FEDERAL COMMUNICATIONS COMMISSION  
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February 13, 1995

William F. Caton, Secretary  
Federal Communications Commission  
1919 M Street, N.W. -- Room 222  
Washington, D.C. 20554

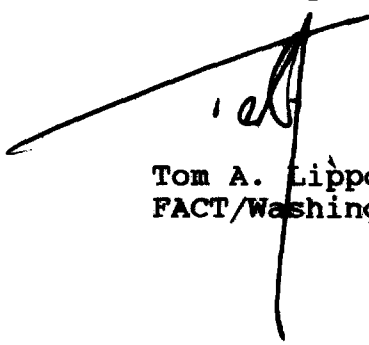
Re: CC Docket No. 92-115

Dear Mr. Caton:

DOCKET FILE COPY ORIGINAL

On behalf of **NOKIA MOBILE PHONES, INC.**, enclosed is an original and six copies of its "Reply Comments in Support of the Current Prohibition of In-the-Field Manipulation of Cellular Electronic Serial Numbers in Section 22.919".

Sincerely,

  
Tom A. Lipponen  
FACT/Washington

TAL/GRiD  
Enclosures (6)

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEB 16 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )

Revision of Part 22 of the )  
Commission's Rules Governing )  
the Public Mobile Services )

CC Docket No. 92-115

**REPLY COMMENTS OF NOKIA MOBILE PHONES, INC.  
IN SUPPORT OF  
THE CURRENT PROHIBITION OF IN-THE-FIELD MANIPULATION  
OF CELLULAR ELECTRONIC SERIAL NUMBERS IN SECTION 22.919**

Nokia Mobile Phones, Inc. ("Nokia"), by and through its undersigned counsel, hereby submits this brief reply to the various pleadings filed regarding Section 22.919's control of cellular electronic serial numbers (ESN's) -- particularly the prohibition against manipulation of ESN's "in the field".

As the second largest manufacturer and distributor of cellular telephone equipment in the United States and in the world, the Nokia companies strongly support proposals for discussion of the issues by the industry and for development of authentication and other improved technological solutions.

However, not a single one of those proposals can substitute for -- or justify modification of -- the Commission's current order prohibiting dissemination of ESN software into the field. As the Commission correctly implied in its December 30, 1994 stay order in this proceeding:

1. Further discussion of the issues is not enough. Clear, concrete action is needed now, based upon technology actually implemented to date. Strict control of ESN software will not slow the industry's search for superior solutions.<sup>1</sup>

2. Authentication and similar technical advances can augment the ESN-in-the-field restrictions if and when those advances are ready.<sup>2</sup> ESN software control will not hinder such developments or prevent their implementation.

In short, there is no reason to wait and see what new ideas the future may bring. Cellular fraud is too pervasive already now, and it requires the immediate response mandated by the Commission's current rule for ESN's: software and firmware changes to cellular terminals must be made only by the terminal's manufacturer at the manufacturer's facility.

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<sup>1</sup> As noted by the CTIA, fraud deterrence "requires multiple approaches and solutions rather than a one dimensional strategy. Such approaches and solutions, however, must complement one another to provide optimal results in combating cellular fraud." Opposition/Comments to Petitions for Reconsideration of the Cellular Telecommunications Industry Association, January 20, 1995 at 7.


<sup>2</sup> As noted by McCaw, such "alternatives...are not currently viable options for restraining...cellular fraud.... Authentication protocols...are just now being developed and may require system capabilities that currently are not available in many systems (and in some smaller systems may never be available)." Comments of McCaw Cellular Communications, Inc. on Petitions for Reconsideration and Clarification, January 20, 1995 at 15.

No one should be permitted to act otherwise merely for the sake of convenience in field sales and service.

Therefore, Nokia urges the Commission to deny all requests for reconsideration or revisions which would weaken the current prohibitions regarding use of ESN computer software in the field.

February 13, 1995

Respectfully submitted,

  
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Tom A. Lippo, Esq.  
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Nokia Mobile Phones, Inc.

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CERTIFICATE OF SERVICE

I, Carroll Hauptle, Esq., hereby certify that on this 16<sup>th</sup> day of February, 1995, copies of the foregoing Reply Comments of Nokia Mobile Phones, Inc. were served by hand delivery upon the following parties:

William F. Caton, Secretary  
Federal Communications Commission  
1919 M. Street, N.W. -- Room 222  
Washington, D.C. 20554

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Carroll Hauptle, Esq.